

**GOVERNMENT OF PUDUCHERRY  
LABOUR DEPARTMENT**

(G.O. Rt. No. 106/Lab./AIL/J/2014, dated 1st July 2014)

**NOTIFICATION**

Whereas, the award in I. D. (T) No. 8/2008, dated 13-6-2014 of the Industrial Tribunal, Puducherry in respect of the industrial dispute between the management of M/s. Alagulakshmi Industry, Puducherry and Puducherry Manila Pattali Thozhil Sangam, Puducherry, over closure of the unit has been received;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947) read with the notification issued in Labour Department's G.O. Ms. No. 20/91/Lab./L, dated 23-5-1991, it is hereby directed by Secretary to Government (Labour) that the said award shall be published in the official gazette, Puducherry.

(By order)

**S. THAMMU GANAPATHY,**  
Under Secretary to Government (Labour).

**BEFORE THE INDUSTRIAL TRIBUNAL AT  
PONDICHERY**

*Present :* Tmt. S. MARY ANSELAM, M.A., M.L.,  
Presiding Officer (FAC),  
Industrial Tribunal.

*Friday, the 13th day of June 2014*

**I.D. (T) No. 8/2008**

The President,  
Puducherry Manila Pattali Thozhil Sangam,  
Puducherry. . . Petitioner

*Versus*

The Managing Director,  
M/s. Alagulakshmi Industry,  
Nettapakkam, Puducherry. . . Respondent

This industrial dispute coming on this day before me for hearing in the presence of Thiru Durai Arumugam, Counsel for the petitioner and Thiru L. Vinoba, Advocate for the respondent, upon hearing both sides, upon perusing the case records, after having stood over till this day, this court passed the following:

**AWARD**

The industrial dispute arises out of the reference made by the Government of Puducherry *vide* G.O. Rt. No. 105/AIL/Lab./J/2008, dated 30-6-2008 of the Labour Department, Puducherry to resolve the following dispute between the petitioner and the respondent, *viz.*,

(a) Whether the dispute raised by the Puducherry Manila Pattali Thozhil Sangam against the management of M/s. Alagulakshmi Industry, Puducherry over closure of the unit is justified or not?

(b) To what relief, the workmen are entitled to?

(c) To compute the relief, if any, awarded in terms of money, if it can be so computed?

2. The petitioner in his petition has stated as follows:

The respondent company is manufacturing calcium-carbide from 1999 onwards 15 male and 15 female are working there for nine years. Similar company was in Karaikal and *i.e.* its branch. The workers tried to start a union. So on 2-5-2007 onwards production was temporarily stopped. It is an unfair labour practice. While, the dispute was under enquiry. Palani, Devaraj, Senthilkumar and Venkatesan were punished under false charges, after conducting an enquiry which is against natural justice. So the dismissal order of those workers are to be cancelled, so the temporary stoppage of production is to be declared as illegal and gave continuity of service to all workers with back wages and work.

3. The respondent in this counter has stated as follows:

Respondent company is a small scale industry manufacturing a chemical called calcium-carbide from 1999 till April 2007. Due to the threats of disruption and destruction made by some of the workers, production came to a halt. During the last week of April 2007 namely on 25-4-2007 a local person by name Purushothaman demanded money from them which was refused by the management. So, on his instigation some of the workers tried to form a union, respondent informed to the Labour Commissioner by a representation, dated 25-4-2007. Then, some workers poured water in the lorry which carried the stock and thereby attempted to cause huge loss from the management. Respondent knowing it immediately gave a complaint on 2-5-2007 requesting action and demanding protection to the company. It prevented damage to the production. So, the management suspend the production for time being. They gave a written representation to the Labour Commissioner. On 3-5-2007 Purushothaman along with Pandurangan and four other co-workers Devaraj, Subrayalu, Venkatesan, Senthilkumar and Palani entered into the company premises and attempted to assault Arivalagan of the respondent company and shouted by using filthy language. Arivalagan gave a written representation on 3-5-2007 addressed to the Manager. He gave a complaint to the Police. Then, management issued show cause notice to the four workers. Since, their reply was not satisfactory, domestic enquiry was conducted. In that enquiry finding was given on

22-10-2007 and all four workers were found guilty. It was brought to the knowledge of Labour Officer (Conciliation) on 15-11-2007 for approval. The company employed 17 workers muster roll proves it. Further no woman worker was employed at any point of time. Respondent had no branch at Karaikal. Petitioner is not a recognised trade union petitioners union was dissolved by its parent body prior to the filing of this petition. So, the so called president is no more holding his office and no *locus standi* to raise a dispute under the Industrial Disputes Act.

4. On the side of the petitioner, PW1 was examined, and the side of the respondent RW1 was examined. On the petitioners side Ex.P1 to Ex.P5 were marked. On the side of the respondent, Ex.R1 to Ex.R21 were marked.

5. *The point for determination is—*

Whether the industrial dispute can be allowed?

6. *On the point:*

According to the petitioner 15 men and 15 women workers are working in the respondent industry. As per claim statement but, as per the proof affidavit filed by PW1 20 men and 10 women workers are working in the industry. According to the respondent only 17 persons are working in the industry and no women worker are working in the industry. So, the total number of workers working in the respondent factory is to be proved by the petitioner. With regard to that aspect no document was filed on the side of the petitioners. But, on the side of the respondent the copy of the muster roll is marked as Ex.R6. As per Ex.R6 only 17 workers are employed in the respondent factory and no women worker was employed in their factory. So, the case of the petitioner that more than 30 members are working in the factory is not proved in this case.

In this regard PW1 in his cross-examination deposed as follows:

கம்பெனியில் 20 ஆண், 10 பெண் தொழிலாளர்கள் வேலை செய்ததற்கு ஆதாரம் என்னிடம் இல்லை.

It is further stated on the side of the petitioner that the respondent did not maintain attendance register and has not provided E.S.I., E.P.F., E.L., C.L. and minimum wages to the workers. But, the respondent has proved beyond the reasonable doubt that proper attendance register was maintained and ESI contribution was made through Ex.R5 and R21. The order passed in I.A 123/2013 would establish that E.S.I. contribution was made by the respondent right from 2002 till temporary suspension. Since the respondent did not employ sufficient number of employees to subject itself within the purview of the Employees Provident Fund and Miscellaneous Provisions Act, 1952, its employees are not eligible for the benefits under the Act. The muster roll are marked as Ex.R6 would establish that the employees are availing earned leave

and casual leave. So, the petitioner's case that the respondent did not maintain proper records is proved to be a false one.

7. It is stated on the side of the respondent that the petitioner union is not a recognised trade union and in fact the petitioner organisation has been dissolved by its parent body prior to the filing of this petition before this court. Therefore, the so called President who is representing the petitioner is no more holding this office and as such he has no *locus standi* to raise a dispute under the Industrial Disputes Act. In this regard PW1 in his cross-examination deposed as follows:

எங்கள் சங்கம் பதிவுபெற்ற சங்கம் இல்லை.

So, it is clear that the petitioner union is not a registered one and so, the respondent who is representing the petitioner has no *locus standi* to raise a dispute under the Industrial Disputes Act. Further, the petitioner did not furnish the list of employees on whose behalf, it is agitating the present claim. The list of employees is not found in the claim petition as well as in the proof affidavit also. So, the claim petition filed by the petitioner is devoid of material particulars, such as the name of the employee, the year of employment etc. On this ground also the claim petition is not *bona fide*.

8. It is stated on the side of the petitioners that the suspension of work, dated 2-5-2007 is illegal because no requisition was given to the Government and the copy of it is not sent to the workers and the union. It is stated on the side of the respondent that with regard to the suspension of work, representation was given to Labour Commissioner on 2-5-2007 itself and it is marked as Ex.R3. Further, if the number of workers employed in the factory is less than 100, there is no necessity to obtain the permission of the Government with regard to the closure of factory.

As per 1963 3 SCR 130 closure cannot give rise to an industrial dispute. In the present case the production in the company came to a grinding halt with the threats of disruption and destruction held by some of the workers. The disruption and destruction threats made by the workers is proved by the representation sent to the Deputy Labour Commissioner, Puducherry, through a representation, dated 25-4-2007. Likewise, with regard to the attempt to cause destruction to the company properties complaint was sent to the Superintendent of Police, Rural, Puducherry, dated 2-5-2007. Due to that only the production was suspended for the time being. With regard to the criminal trespass made by one Purushothaman and other company labourers, co-worker Arivalagan gave a complaint on 3-5-2007 addressed to the Manager, on the basis of that representation police complaint was given for taking appropriate action. Afterwards, the management issued show cause notice

to all the four labourers. Then, domestic enquiry was conducted and all the four labourers were found guilty of the charges. The order passed by the Enquiry Officer was brought to the knowledge of the Labour Officer (Conciliation) through a representation, dated 15-11-2007 for approval. Under section 33(2)(b) of the Industrial Disputes Act. All the above facts were suppressed by the petitioner in his claim petition. So, the temporary suspension of work announced by the factory is not an illegal one. As per 1979 (3) SCC 762 closure-propriety of or justification for the closure of business, in fact and truly effected, cannot raise an industrial dispute as contemplated by the State and Central Acts. So, in the present case also for the closure of the business there are justifiable grounds in support of the management.

Further PW1 admits in his evidence as follows:

நான் தற்பொழுது சிவக்கொழுந்து MRF-ல் ஒப்பந்த தொழிலாளராக பணிபுரிகிறேன். முருகன், செந்தில்குமார், ஏழுமலை, வெங்கடேசன், பழனி ஆகியோர் Jothi Engineering-ல் வேலை பார்க்கிறார்கள்.

So, the persons who have faced to the domestic enquiry and who were removed from the service of the respondent, joined duty in some other places. Taking into consideration of all the above said aspects, it is decided that the closure of the unit by the management is justified. All the affected employees have joined in some other places, since the closure is justifiable one, the industrial dispute is not maintainable.

9. In the result, the claim petition is dismissed. No costs.

Typed to my dictation, corrected and pronounced by me in the open court on this the 13th day of June 2014.

**S. MARY ANSELAM,**  
Presiding Officer,  
Industrial Tribunal, Puducherry.

*List of witness examined for the petitioner:*

PW. 1 — 7-2-2011 — Rajamanickam

*List of witness examined for the respondent:*

RW. 1 — 28-3-2012 — Murali

*List of exhibits marked for the petitioner:*

- Ex.A1 — Photocopy of the letter to Labour Officer, dated 24-4-2007.
- Ex.A2 — Photocopy of the letter to Labour Officer, dated 4-5-2007.
- Ex.A3 — Photocopy of the letter to Labour Officer, dated 7-5-2007.
- Ex.A4 — Photocopy of the letter to Labour Officer, dated 16-5-2007.
- Ex.A5 — Photocopy of the letter to Conciliation Officer, dated 17-5-2007.

*List of exhibits marked for the respondent:*

- Ex.R1 — Copy of the letter addressed to the Deputy Labour Commissioner, dated 25-4-2007.
- Ex.R2 — Copy of the letter addressed to the Superintendent of Police, Rural, Puducherry, dated 2-5-2007.
- Ex.R3 — Copy of the letter addressed to the Labour Commissioner, dated 2-5-2007.
- Ex.R4 — Copy of the complaint given by Arivalagan addressed to the Manager, dated 3-5-2007.
- Ex.R5 — Copy of the complaint addressed to the Inspector of Police, dated 3-5-2007.
- Ex.R6 — Original copy of muster roll for the month of April 2007.
- Ex.R7 — Copy of the covering letter addressed to the Labour Officer (Conciliation) for approval of petition for G. Palani, dated 15-11-2007.
- Ex.R8 — Copy of the covering letter addressed to the Labour Officer (Conciliation) for approval of petition for S. Devaraj, dated 15-11-2007.
- Ex.R9 — Copy of the covering letter addressed to the Labour Officer (Conciliation) for approval of petition for K. Senthilkumar, dated 15-11-2007.
- Ex.R10 — Copy of the covering letter addressed to the Labour Officer (Conciliation) for approval of petition for R. Venkatesan, dated 15-11-2007.
- Ex.R11 — Copy of the petition for approval for G. Palani, addressed to the Labour Officer (Conciliation), dated 15-11-2007.
- Ex.R12 — Copy of the petition for approval for S. Devaraj, addressed to the Labour Officer (Conciliation), dated 15-11-2007.
- Ex.R13 — Copy of the petition for approval for K. Senthilkumar, addressed to the Labour Officer (Conciliation), dated 15-11-2007.
- Ex.R14 — Copy of the petition for approval for R. Venkatesan, addressed to the Labour Officer (Conciliation), dated 15-11-2007.
- Ex.R15 — Copy of the charge sheet issued to Palani, dated 7-5-2007.
- Ex.R16 — Copy of the charge sheet issued to Senthilkumar, dated 7-5-2007.
- Ex.R17 — Copy of the domestic enquiry final report against Palani, dated 22-10-2007.
- Ex.R18 — Copy of the domestic enquiry final report against Senthilkumar, dated 22-10-2007.

Ex.R19 — Copy of the domestic enquiry final report against Devaraj, dated 22-10-2007.

Ex.R20 — Copy of the domestic enquiry final report against Venkatesan, dated 22-10-2007.

Ex.R21 — Form 6, dated 10-11-2008

**S. MARY ANSELAM,**  
Presiding Officer,  
Industrial Tribunal, Puducherry.

**GOVERNMENT OF PUDUCHERRY  
LABOUR DEPARTMENT**

*(G.O. Rt. No. 107/Lab./AIL/J/2014, dated 4th July 2014)*

**NOTIFICATION**

Whereas, an award in I.D.(L) No. 24/2010, dated 28-4-2014 of the Labour Court, Puducherry in respect of the industrial dispute between the Managing Director, M/s. G. E. India Industrial Pvt. Ltd., Puducherry and Branch Secretary, United Labour Federation, Tindivanam, over charter of demands and lock-out has been received;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947) read with the notification issued in Labour Department's G.O. Ms. No. 20/91/Lab./L, dated 23-5-1991, it is hereby directed by Secretary to Government (Labour) that the said Award shall be published in the official gazette, Puducherry.

(By order)

**S. THAMMU GANAPATHY,**  
Under Secretary to Government (Labour).

**BEFORE THE LABOUR COURT AT PONDICHERRY**

*Present :* Tmt. S. MARY ANSELAM, M.A., M.L.,  
Presiding Officer (FAC), Labour Court.

*Monday, the 28th day of April 2014*

**I.D. (L) No. 24/2010**

R. Mari,  
Branch Secretary,  
United Labour Federation,  
Tindivanam.

.. Petitioner

*Versus*

The Managing Director,  
M/s. G.E. India Industrial Pvt. Ltd.,  
Sedarapet, Pondicherry.

.. Respondent

This industrial dispute coming on 11-4-2014 for final hearing before me in the presence of Tvl. K. Sudalaikannu, K. Krishnamoorthy and A. Bhaskaran, Counsel for the petitioner, Tvl. Gupta and Ravi and S. Karthikeyan, Counsel for the respondent, upon hearing both sides, upon perusing the case records, after having stood over for consideration till this day, this court passed the following :

**AWARD**

This industrial dispute has been referred as per the G.O. Rt. No.124/ AIL/Lab./J/2010, dated 9-6-2010 for adjudicating the following:

(a) Whether the dispute raised by the workmen affiliated to the United Labour Federation against the management of M/s. G.E. India Industrial Pvt. Ltd., Sedarapet, Puducherry, over charter of demands such as increase of basic pay, dearness allowance, production incentive, HRA and medical allowance, etc., is justified or not? If justified, what relief the workmen are entitled to?

(b) To compute the relief, if any, awarded in terms of money, if it can be so computed?

(c) Whether the dispute raised by the workmen affiliated to the United Labour Federation against the management of M/s. G.E. India Industrial Pvt. Ltd., Sedarapet, Puducherry regarding the lock-out declared by the management is legal is justified or not?

(d) If not, to what relief the workmen are entitled to?

(e) Or in the alternative plea made by the management that it was a case of closure is justified and legal?

(f) In this case, there is no lock-out it is only closure and the closure declared by the management is legal and justified?

2. The facts giving rise to this industrial dispute as stood exposted from the claim petition runs thus:

It is stated in the claim statement that since more than 100 workers are working in the respondent factory. The Industrial Dispute Act Schedule V-B is applicable to the respondent with regard to the closure of the factory no permission was obtained from the Pondicherry Government. So, the industry has filed to obtain permission under section 25 (O) of the Act. So, even as per the closure of the factory as per section 25 (O) (6) the workers are entitled for all benefits. The factory at Puducherry belonging to the respondent was not closed, its manufacturing was continued at 42/1 and 45/14, Electronics City, Phase-II, Bangalore. So, the case of the respondent that the factory at Pondicherry was closed wrong, but, in fact in the name of closure they have

done illegal lock-out since the labourers asked for have remuneration. The lock-out was made by the respondent so all the labourers are expected to be reinstated into service and till then they are entitled for wages and other benefits. The agreement, dated 31-8-2006 came to an end on 31-7-2009 so, the petitioners gave a requisition to the respondent, the petitioners asked for the common relief from 1-8-2009 onwards.

The general demands are as follows:

மனுதாரர் தொழிற்சங்கம் 9-7-2009 அன்று பொதுக் கோரிக்கைகள் தொடர்பாக தொழிற்சங்கம் எழுப்பியது. அதில் அடிப்படை சம்பளம் ₹ 3,000 உயர்த்தி வழங்க வேண்டும் என்று கோரிக்கை வைக்கப்பட்டது. தற்போது எதிர்மனுதாரர் தொழிற்சாலையில் தொழிலாளர்களுக்கு மிகவும் குறைந்த ஊதியம் வழங்கப்பட்டது. அந்த ஊதியம் தொழிலாளர்களுக்கு வாழ்க்கை நடத்துவதற்கு போதுமானதாக இல்லை. இன்றைய உலகமயமாக்கல் மற்றும் பணவீக்கம் அதிகரித்துள்ள சூழ்நிலையில் மனுதாரருக்கு வழங்கப்படும் அடிப்படை ஊதியம் மிகவும் குறைவானதாகும். அடிப்படை சம்பளம் ₹ 3,000 உயர்த்தப்பட வேண்டும் என்ற கோரிக்கை நியாயமானது. அதே போல் (Dearness Allowance) அகவிலைப்படி கோரிக்கை இன்றைய விலைவாசியைக் கருத்தில் கொண்டு கோரிக்கையில் கேட்கப்பட்டிருக்கும் அகவிலைப்படியை விட விலைவாசி உயர்ந்து விட்டது. எனவே மனுதாரின் அகவிலைப்படியின் கோரிக்கை நியாயமானது. சமீபகாலத்தில் பெட்ரோல், டீசல் ஆகிய பொருள்களின் விலைவாசி உயர்வால் மற்ற பொருள்களின் விலைவாசியும் உயர்ந்துவிட்டது. எதிர்மனுதாரர் தொழிற்சாலையில் பணிபுரியும் அதிகாரிகளுக்கும், மேற்பார்வையாளர்களுக்கும் வழங்கப்படும் சம்பளம் தொழிலாளர்களின் சம்பளத்தைவிட பன்மடங்கு அதிகமாக உள்ளது. எதிர்மனுதாரர் நிர்வாகம் நியாய அடிப்படையில் தொழிலாளர்களுக்கும், அதிகார பொறுப்பில் இருப்பவர்களுக்கும் ஊதிய உயர்வு கொடுக்கப்படுவது இல்லை. அதிகாரத்தில் இருப்பவர்கள் தங்களுடைய ஊதிய உயர்வினை நிர்ணயித்துக் கொள்வதால் அவர்களுக்கு அதிகமாகவும், தொழிற்சாலையில் வேலை செய்யும் தொழிலாளர்களுக்கு மிகவும் குறைந்ததாகவும் ஊதியம் உள்ளது.

வீட்டு வாடகை புதுச்சேரியில் வருடா வருடம் உயர்ந்து வருகிறது. குறைந்த ஊதியம் உள்ள தொழிலாளர்களுக்கு வீட்டை வாடகைக்கு விடுவதற்கு வீட்டு முதலாளிகள் தயாராக இல்லை. மேலும், புதுச்சேரி பகுதி சுற்றலா பகுதியாக இருப்பதாலும் வீட்டு வாடகை அதிகப்படியாக உள்ளது. ஆகவே வீட்டு வாடகைப்படியாக ₹ 775 வழங்கப்படுவதை உயர்த்தி ₹ 3,275-ஆக வழங்கப்பட வேண்டும் என்ற மனுதாரர் சங்கத்தின் கோரிக்கை நியாயமானது. அதேபோல எங்களது கோரிக்கை மனுவில் இன்கிரிமெண்ட் அதாவது வருடாந்திர இன்கிரிமெண்ட் சர்வீஸ் அடிப்படையில் கேட்கும் உயர்வு வாராந்திர பத்திரிகைகளுக்காக தற்போது கொடுக்கப்படும் ₹ 90-க்குப் பதிலாக ₹ 340 என்ற கோரிக்கை மற்றும் கேண்டின் சிறப்புப்படி, போக்குவரத்துப்படி, மெடிக்கல் படி, எஜகேஷன் படி ஆகிய மற்ற கோரிக்கைகள் நியாயமானது. மற்ற தொழிற்சாலைகளில் மனுவில் கூறியுள்ள அடிப்படையில்தான் ஊதியம் வழங்கப்படுகிறது.

எதிர்மனுதாரர் தொழிற்சாலை உலகத்திலேயே 2-வது பெரிய முதலாளியான General Electric என்ற ஸ்தாபனத்தைச் சார்ந்தது. ஆகவே, எதிர்மனுதாரர் நிர்வாகத்திற்கு கோரிக்கையில் கோரியுள்ள ஊதிய உயர்வு மற்றும் இதர தொழிலாளர் நல கோரிக்கைகளை வழங்கக்கூடிய சக்தி உள்ளது. அருகாமையில் உள்ள

தொழிற்சாலைகளில் அதேபோல வழங்கி வருகிறார்கள். T.T.K., M.R.K., Sundaram Fastners, Larsan & Tourbo நிறுவனங்களின் தொழிற்சாலைகளில் மனுதாரர் சொல்லக்கூடிய அளவில் ஊதியமும் சலுகைகளும் வழங்கப்படுகின்றன.

மனுதாரர் தொழிற்சங்கத்தின் பொது கோரிக்கைகள் ஊதியம் சம்பந்தப்பட்ட தீர்ப்புகளில் கூறப்பட்ட விதிமுறைகளின் அடிப்படையில் நியாயமானதாகும். மேலும், எதிர்மனுதாரர் தொழிற்சாலையில் அருகில் உள்ள மற்ற தொழிற்சாலைகள் மேற்கூறிய மனுதாரர் கோரும் பலன்களைப் போலவும் மேலும், மற்றும் அதற்கு அதிகமாகவும் தொழிற்சாலையில் பணிபுரியும் தொழிலாளர்களுக்கு அளித்து வருகிறது. மேலும், Larson & Toubro Limited, Pondicherry என்ற தொழிற்சாலையில் பணிபுரியும் சூ. முருகன் என்ற தொழிலாளர் அவர்களின் சம்பளரசீது மனுதாரர் தரப்பு சான்றவணம் Ex. W. 27.

So, the petitioner wants the Labour Court to pass an award directing the management to grant benefits and demands as per the petitioner's charter of demands, dated 9-7-2009 and to compute the benefits of the relief in terms of money and to hold that the lock-out declared by the respondent management as illegal and lift the lock-out and reinstate the workers with continuity of service, back wages and other benefits and to hold that the plea of the management that it was a case of closure that it was not legal.

3. *Per contra*, traversing the averments the claim statement, the respondent filed the counter with the averments which runs thus:

The petitioner federation has no *locus standi* to initiate any conciliation proceedings or raise any dispute as against this respondent. The petitioner federation appears to be the Apex Body of other unions and it has no membership at any time during the existence of the respondent's factory at Puducherry. The respondent were the members of the said federation during the period in which the factory was working. The ex-workmen of the factory appear to have become members of the petitioner federation only after their services had been terminated consequent to closure of the factory and all their dues had been settled by the respondent. The respondent's unit at Puducherry was set up in the year 1998 for manufacture of air circuit breakers, switches and spares. There were only 38 permanent workmen worked in the Puducherry unit. Due to downturn in the market during the latter half of 2008, there has been a drop in the sales of the products manufactures at the Puducherry unit. Several customers of the products manufactured at the plant delayed their projects or cancelled the projected orders. The utilisation of capacity came down drastically to 50% during the 12 months preceding the closure and under utilisation of capacity has resulted in high operational costs and it was difficult to run the plant profitably. 7 workmen were kept under suspension pending enquiry into the misconduct committed by them.

The respondent factory at Puducherry has been duly surrendered to the Inspector of Factories, Government of Puducherry due to the permanent closure of the factory. Similarly the Registration Certificate under the Contract Labour (Regulation and Abolition) Act has been duly surrendered to the Deputy Labour Commissioner, Labour Department, Government of Puducherry who is the Registering Officer under the said Act. The closure is real, *bona fide* and genuine; factual and irrevocable and complete with effect from 5-10-2009. The respondent management was informed on 20-3-2009 of the workmen joining the petitioner union the management suspended 6 workers on false allegations and that they are union activists are vehemently denied and the petitioner is put to strict proof of the same. There was no closure at all and it was really a lock-out as a counter measure against the raising of the industrial dispute for revision of wages are purely invention and imagination of the petitioner for the purpose of making out a case. The respondent management shifted the machinery and other materials from its factory at Puducherry to its factory at Electronics City, Bangalore and was continuing to carry on its manufacturing activity there through a labour force who are designated as trainees and also through workers who are paid through intermediaries and that the customers of the factory at Puducherry are continued to be supplied with the items manufactured in its factory at Electronics City, Bangalore.

The allegation of the petitioner that the reasons stated in the closure notice that orders are not available was not true and that the company continues to execute orders through its factory at Electronics City at Bangalore and that the petitioner union even on 1-10-2009 denied the stand of the management that it has no orders and that the management was doing work on leave days with trainees, temporary workers and contract labour are stoutly denied by this respondent and submits that these contentions of the petitioner union are highly untenable and does not have any value for consideration. The factory at Bangalore and Puducherry are two different and independent units and they are neither functionally integrated nor dependent on each other for existence. In fact, the factory licence, etc., had been surrendered which will prove that the factory has been permanently closed. The contentions of the petitioner union including any demand for wage revision survive for consideration. The employees have been paid compensation in accordance with the provisions of the law and they have already accepted the payment and hence the entire issued has attained finality.

4. During the enquiry of the petitioner side, PW.1 was examined and Ex.P1 to Ex.P29 were marked. On the side of the respondent RW.1 to RW.3 were examined and Ex.R1 to Ex. R47 were marked and C1 series were marked.

5. *The point for consideration is:*

Whether the industrial dispute can be allowed?

6. *On this point:*

The first point was decided in this industrial dispute is whether the respondent announced closure or lock-out. According to the management it is a closure and according to the workers it is a lock-out. To determine the aspect, whether it is closure or lock-out the total number of workers are to be proved. So, the petitioners are expected to prove that the workers employed at Puducherry are more than 100. They have not proved it through oral and documentary evidence. But on the side of the respondent Ex.R11, dated 6-10-2009 was marked. As per Ex.R11 only 26 workers have signed in it. Ex.R22 was sent to 38 workers. Ex.R33 to R37 is the returns from October 2008 to March 2009. The total labourers is 43 and those who are not covered under the ESI -17. So, the number of workers is 60. Ex.R36, page 16 to 78 contains the total number of workers as 37. As per Ex.R37 also the total number of workers R38. So, it is clearly proved on the side of the respondent that the number of workers who are employed in the Puducherry factory is less than 60 and the permanent workers are 38. If the total number of workers are less than 100 then, it will attract only closure of the business. With regard to the closure, R4 to R9 notice were marked. It refers to closure. R15 notice also refers to closure. R16 surrender of factory licence, R17 surrender of Registration Certificate, R18 cancel of code No. R23 with regard to payment, R24 series full and final settlement refers that it is a closure of business. PW.1 clearly admits in his cross-examination that on 5-10-2010 no manufacturing work was done in the factory at Puducherry, so, the manufacturing factory at Puducherry was closed on 5-10-2010 is clearly proved in this case.

7. If it is a lock-out the business will be continued at some other place, so, the next aspect to be decided is after closure whether some manufacturing business was continued in the Bangalore factory. If it is continued, then there is lock-out. In this regard PW.1 deposed as follows:

5-10-2009-ல் தொழிற்சாலை மூடப்பட்டபிறகு லைசன்ஸ் பர்மிட், ரிஜிஸ்ட்ரேஷன் சான்றிதழ், கான்ட்ராக்ட், லேபர் சான்றிதழ் அனைத்துமே லேபர் கமிஷனரிடம் அனுப்பிவிட்டோம் என்றால் அதுபற்றி தெரியாது. தொழிற்சாலையில் பணிபுரிந்த 38 பேருக்கும் காசோலை அனுப்பப்பட்டு அவர்கள் பெற்றுக்கொண்டார்கள் என்றால் சரிதான். 18-3-2009-ல் நானும் மற்ற 6 பேரும் தொழிற்சாலை மூடும்வரைக்கும் தற்காலிக வேலை நீக்கத்தில் இருந்தோம். என்னைப்போல தற்காலிக பணி நீக்கத்தில் இருந்த 6 பேருக்கும் காசோலை கீடைக்கப்பெற்றார்கள். தொழிற்சாலை மூடியதற்காக அது அனுப்பப்பட்டது. அந்தப் பணத்தை நாங்கள் ஆட்சேபணையுடன்

பெற்றுக்கொண்டோம். 5-10-2010-க்கு பிறகு தொழிற்சாலையில் எந்தப் பணியும் நடைபெறவில்லை. இங்கு தொழிற்சாலை நடந்தபோது பெங்களூரிலும் வேலை நடந்து வந்தது. தொழிலாளர்களும் இதனுடைய தொழிலாளர்கள் தனியே உள்ளனர்.

In this regard RW.2 deposed as follows:

Air circuit breakers are manufactured at Bangalore factory also.

According to the respondents only one item is similar and that production was also stopped after closure of the factory at Puducherry. So, the manufacturing of air circuit breakers is continued at Bangalore is not a correct one. So, closure is clearly proved in this case. In this case, there is no dispute about the charter of demand. In this regard PW.3 deposed as follows:

Charter of demand-சம்பந்தமாக conciliation எதுவுமில்லை. In this regard PW.1 deposed as follows:

சம்பளம் சம்பந்தமாக சமரச அதிகாரி முன்பு பிரச்சனை எதும் எழுப்பப்படவில்லை.

So, with regard to the charter of demands, raising of salary, no adjudication can be raised now.

8. It is argued that no prior notice was given to the Puducherry Government with regard to the closure of business by the respondent.

In this regard RW.1 clearly deposed in his cross-examination as follows:

தொழிற்சாலை மூடும்போது 38 தொழிலாளர்கள் பணியில் இருந்தனர். 100-க்கும் குறைவானவர்களே பணிபுரிந்ததால் தொழிற்சாலை மூடும்போது அரசின் முன்அனுமதி பெற வேண்டிய அவசியம் இல்லை என்றால் சரிதான். 38 பேர் நிரந்தர பணியாளர்களைத்தவிர 6,7 apprentice பணிபுரிந்தனர்.

In this case it is very clearly proved that only 38 permanent workers worked at Puducherry. So, there is no necessity to give prior notice to the Puducherry Government and obtained its permission, with regard to the closure of the factory.

9. In the present case, it is very clearly proved that the respondent company was closed and there was no lock-out. As per 1963 3 SCR 540 if the action taken by the appellant is not a lock-out but, is a closure *bona fide* and genuine, the dispute which the respondents may raise in respect of such a closure is not an industrial dispute at all. Closure indicates the final and irrevocable termination of the business itself, lock-out indicates the closure of place of the business and not the closure of business itself.

10. In this case, it is clearly proved that there is a closure and the business was terminated, it is not a closure of place of business. So, since the act done by the respondent is the closure, it is not an industrial

dispute at all. As per 1968 3 SCR 130 Closure cannot give rise to an industrial dispute. As per 1971 3 SCC 495 the reasoning behind the argument was that if the industry itself disappeared any adjudication with regard to a dispute which had arisen in the past would be a fruitless errand and any award made on the reference thereafter would be ineffective.

11. In the present case also the industry was closed permanently at Puducherry. So, with regard to the dispute which had arisen in the past or any award made on the reference thereafter would be ineffective because the industry itself disappeared. As per 1979 (3) SCC 762 industrial dispute-closure - Propriety or Justification for the closure of business, in fact and truly effected cannot raise an industrial dispute as contemplated by the State and Central Acts. So, in the present case also the factory was closed once for all and it is clearly proved that there is no lock-out. So, the closure cannot raise an industrial dispute. In this case, it is clearly stated by the petitioner that there was no conciliation with regard to the charter of demands. It is further the case of the petitioner that there is no demand with regard to the salary before the Conciliation Officer. So, with regard to the charter of demands and raising of salary no adjudication can be raised now. Taking into consideration of all above such aspects, the industrial dispute preferred by the petitioner is dismissed.

12. In the result, the claim made by the petitioner is dismissed. No costs.

Typed to my dictation, corrected and pronounced by me in the open court on this the 28th day of April, 2014.

**S. MARY ANSELAM,**  
Presiding Officer,  
Labour Court (FAC), Puducherry.

*List of petitioner's witness:*

PW.1 — 8-12-2011 — R. Mari

*List of respondent's witnesses:*

RW.1 — 30-7-2012 — Glen D'Souza

RW.2 — 1-7-2013 — Ashok Vishwakarma

RW.3 — 20-12-2013 — V. Shkoundala.

*List of petitioner's exhibits:*

Ex.P1 — Certificate issued by the respondent company to Mr.P. Nellaippan, J. Karthikeyan and K. Kumar, dated December 2008.

Ex.P2 — Pay slips of K. Kumar, R. Mari and K. Ramamoorthy, respectively, dated October 2008, March 2009, September 2009.

Ex.P3 — Suspension order issued to the 6 workers, dated 18-3-2009.

- Ex.P4 — Letter sent by the petitioner union to the respondent/management, dated 20-3-2009.
- Ex.P5 — Letters sent by the Respondent/Management to R.Mari, with regard to his subsistence allowance, dated 2-4-2009, 2-4-2009 and 2-5-2009.
- Ex.P6 — Invoice of the Sri Venkateswara Precision Components to the respondent, dated 2-5-2009.
- Ex.P7 — Domestic enquiry proceedings relating to Mr. R. Mari (at Page No.47), dated 26-6-2009.
- Ex.P8 — Notice terminating the earlier settlement and seeking new wage revision, dated 9-7-2009.
- Ex.P9 — Charter of demand given to the respondent management by the petitioner union, dated 9-7-2009.
- Ex.P10 — Notice of closure under section 25-FF-A of Industrial Disputes Act to the Secretary to Pondicherry Government, dated 25-7-2009.
- Ex.P11 — Letter given by the union to the management and the Chief Inspector of Factories (regarding leave announced by the management on 13th July 2009, 29th August 2009, 5th September 2009 and 3rd August 2009), dated 1-10-2009.
- Ex.P12 — Alleged closure notice, dated 5-10-2009.
- Ex.P13 — Email sent by Mr. Ananth Ramaswami, President and CEO of the respondent company, dated 5-10-2009.
- Ex.P14 — Letter sent by the respondent/management to R. Mari, with regard to his subsistence allowance, dated 5-10-2009.
- Ex.P15 — Termination order issued by the management to the workers (26), dated 5-10-2009.
- Ex.P16 — Email sent by Mr. S.N. Sharma, Marketing Leader-India Region of the respondent company, dated 7-10 2009.
- Ex.P17 — Industrial dispute raised by the petitioner union before the Labour Officer (Conciliation), dated 9-10-2009.
- Ex.P18 — Invoice of the Sri Venkateswara Precision Components to the respondent, dated 6-11-2009.
- Ex.P19 — Statement of objection filed by the respondent before the Labour Officer (Conciliation), dated 17-11-2009.
- Ex.P20 — Purchase order sent by respondent company to Sri Venkateswara Precision Components, dated 23-11-2009.

- Ex.P21 — Conciliation failure report issued by the Labour Officer (Conciliation), dated 22-12-2009.
- Ex.P22 — G.O. Rt. No. 28/AIL/Lab./J/2010, dated 17-2-2010.
- Ex.P23 — Affidavit and petition in W.P. No. 4204 of 2010, dated 23-2-2010.
- Ex.P24 — Order in W.P. No.4204 of 2010, dated 13-4-2010.
- Ex.P25 — Packing slip for air circuit breaker and test certificate, dated 21-5-2010.
- Ex.P26 — G.O.Rt. No. 28/AIL/Lab./J/2010, dated 9-6-2010.
- Ex.P27 — Pay slip of Mr. N. Murugan for the month of September 2011 working in the management of Larsen & Toubro Limited, Pondicherry, dated September 2011.
- Ex.P28 — Identity card of R. Sankar.
- Ex.P29 — Subsistence Allowance for the month of September 2009 issued by the respondent to the petitioner, dated 5-10-2009.

*List of respondent's exhibits:*

- Ex.R1 — Notice of Closure issued to the Secretary (Labour), Government of Puducherry, dated 25-7-2009.
- Ex.R2 — Notice of closure of factory, dated 5-10-2009.
- Ex.R3 — Notice of closure of factory (Tamil version), dated 5-10-2009.
- Ex.R4 — Letter by respondent to the Secretary (Labour), Government of Puducherry, dated 5-10-2009.
- Ex.R5 — Letter by respondent to the Labour Commissioner, Government of Puducherry, dated 5-10-2009.
- Ex.R6 — Letter by respondent to the Inspector of Factories, Government of Puducherry, dated 5-10-2009.
- Ex.R7 — Letter by respondent to the Member-Secretary, Pondicherry Pollution Control Committee, dated 5-10-2009.
- Ex.R8 — Letter by respondent to the Assistant Provident Fund Commissioner, Employees Provident Fund Office, Puducherry, dated 5-10-2009.
- Ex.R9 — Letter by respondent to the Deputy Director, Regional Office, Employees State Insurance Corporation, Puducherry, dated 5-10-2009.
- Ex.R10 — Notice of enquiry/conciliation issued by the Labour Officer (Conciliation), dated 7-10-2009.

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| <p>Ex.R11 — Statement of United Labour Federation, dated 9-10-2009.</p> <p>Ex.R12 — Statement of objection filed by the respondent before the Labour Officer (Conciliation), dated 17-11-2009.</p> <p>Ex.R13 — Notice of enquiry/conciliation issued by the Labour Officer (Conciliation), dated 18-11-2009.</p> <p>Ex.R14 — Complaint letter by respondent to the Station House Officer, Moolakulam Police Station, Puducherry, dated 1-12-2009.</p> <p>Ex.R15 — Letter by respondent to the Assistant Executive Engineer, PIPDIC Industrial Estate, Sedarapet, Puducherry, dated 5-10-2009.</p> <p>Ex.R16 — Letter by respondent to the Inspector of Factories, Government of Puducherry surrendering Factory Licence, dated 6-11-2009.</p> <p>Ex.R17 — Letter by respondent to the Deputy Labour Commissioner, Government of Puducherry surrendering Registration Certificate issued under the Contract Labour (Regulation and Abolition) Act, 1970, dated 5-11-2009.</p> <p>Ex.R18 — Letter by respondent to the Assistant Provident Fund Commissioner, Employees Provident Fund Office, Puducherry, dated 5-2-2010.</p> <p>Ex.R19 — Report of failure of conciliation, dated 22-12-2009.</p> <p>Ex.R20 — First notification issued by Labour Department <i>vide</i> G.O. Rt. No. 28/AIL/Lab./J/2010, dated 17-2-2010.</p> <p>Ex.R21 — First notification issued by Labour Department <i>vide</i> G.O. Rt. No. 124/AIL/Lab./J/2010, dated 9-6-2010.</p> <p>Ex.R22 — Letter of termination of service consequent to closure issued by the respondent to 38 of its employees along with copy of respective cheques issued to them (38 Nos.), dated 5-10-2010.</p> <p>Ex.R23 — Gratuity payment letters along with copy of respective cheques issued by the respondent of 38 of its employees, dated 26-10-2009.</p> <p>Ex.R24 — Full and final settlement letters issued by the respondent to 38 of its employees along with respective full and final settlement and copy of cheques, dated 27-10-2009.</p> <p>Ex.R25 — Statement of account of the respondent issued by State Bank of India, Thattanchavady Branch, Puducherry showing</p> | <p>the encashment particulars of closure compensation and full and final settlement compensation by the concerned workmen (26 pages).</p> <p>Ex.R26 — Standard Chartered Bank Account Statement of the respondent, showing the encashment particulars of gratuity amounts by the concerned workmen (7 Pages).</p> <p>Ex.R27 — Letter by the respondent to the Inspector of Factories, Puducherry along with annual returns, dated 29-1-2009.</p> <p>Ex.R28 — Letter by the respondent to the Inspector of Factories, Puducherry submitting annual return in Form-D as per payment of Bonus Act, dated 29-12-2008.</p> <p>Ex.R29 — Letter by the respondent to the Conciliation Officer, Puducherry, dated 31-8-2006.</p> <p>Ex.R30 — Minutes of concluding meeting regarding wage negotiations, dated 29-8-2006.</p> <p>Ex.R31 — Muster roll of the respondent factory for the period from August 2008 to August 2009.</p> <p>Ex.R32 — Pay register extract of the respondent factory for the period from June 2008 to July 2009.</p> <p>Ex.R33 — Letter from the respondent to the Regional Director, Regional Office (Puducherry) Employee's State Insurance Corporation along with half-yearly return in Form-5 (October 2008 to March 2009), dated 11-5-2009.</p> <p>Ex.R34 — Letter from the respondent to the Regional Provident Fund Commissioner, Sub-Regional Office-Employees Provident Fund Organisation along with provident fund monthly returns for the month of September 2009, dated 26-10-2009.</p> <p>Ex.R35 — Letter from the respondent to the Regional Provident Fund Commissioner, Sub-Regional Office-Employee's Provident Fund Organisation along with provident fund monthly returns for the month of October 2009, dated 26-10-2009.</p> <p>Ex.R36 — Muster roll of Employees - Form 23, dated March 2007 to September 2009.</p> <p>Ex.R37 — Register of national and festival holidays-Form VII.</p> <p>Ex.R38 — Standing order.</p> <p>Ex.R39 — Invoices raised by Pondicherry plant.</p> |
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- Ex.R40 — The catalogue of products manufactured at Pondicherry.
- Ex.R41 — The catalogue of products manufactured in Bangalore factory.
- Ex.R42 — The catalogue of spectronic S air circuit breakers manufactured both in Bangalore and Pondicherry.
- Ex.R43 — The new range of spectronics GTU range of air circuit breakers manufactured in Bangalore.
- Ex.R44 — The letter from the MEPZ Chennai to the respondent, dated 27-12-2001.
- Ex.R45 — The letter from MEPZ Chennai to GE India Exports Pvt. Ltd., dated 12-8-2005.
- Ex.R46 — The closure report issued by GE India Exports Pvt. Ltd., to the Inspector of Factories, Puducherry, dated 24-12-2007.
- Ex.R47 — The Excel sheet showing details of ACB production output from 2006 to 2009.

*List of court exhibits:*

- Ex.C1 series — File produced by the Labour Officer, Conciliation, Puducherry, dated 20-12-2013.

**S. MARY ANSELAM,**  
Presiding Officer,  
Labour Court (FAC), Puducherry.

**GOVERNMENT OF PUDUCHERRY  
LABOUR DEPARTMENT**

*(G.O. Rt. No. 108/Lab./AIL/J/2014, dated 9th July 2014)*

**NOTIFICATION**

Whereas, the award in I.D.(T) No. 3/2008, dated 9-5-2014 of the Industrial Tribunal, Puducherry in respect of the industrial dispute between the General Manager, Swadeshi Cotton Mills, Puducherry and the Swadeshi Panchalai Thozhilalargal Urimai Padukkappu Sangam, Puducherry over correction of the date of confirmation of 8 workmen has been received;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947) read with the notification issued in Labour Department's G.O. Ms. No. 20/91/Lab./L, dated 23-5-1991, it is hereby directed by Secretary to Government (Labour) that the said award shall be published in the official gazette, Puducherry.

(By order)

**S. THAMMU GANAPATHY,**  
Under Secretary to Government (Labour).

**BEFORE THE INDUSTRIAL TRIBUNAL  
AT PONDICHERRY**

*Present :* Tmt. S. MARY ANSELAM, M.A., M.L.,  
Presiding Officer (FAC),  
Industrial Tribunal.

*Friday, the 9th day of May 2014*

**I.D. (T) No. 3/2008**

The President,  
Swadeshi Panchalai Thozhilalargal  
Urimai Padukkappu Sangam,  
Puducherry . . . Petitioner

*Versus*

The General Manager,  
Swadeshi Cotton Mills,  
Puducherry. . . Respondent

This industrial dispute coming on this day before me for hearing in the presence of Thiru K. Velmurugan, Counsel for the petitioner and Thiru K. Ravikumar, Advocate for the respondent upon hearing both sides, upon perusing the case records, after having stood over till this day, this court passed the following:

**AWARD**

The industrial dispute arises out of the reference made by the Government of Puducherry as per the Conciliation Failure Report, dated 30-1-2007. The Government of Puducherry made a reference to the Labour Court, Puducherry through G.O. 340/2006/LO(C)/AIL.

2. The petitioner in this petition has stated as follows:

The petitioner union had raised the industrial dispute for correction as to the date of confirmation of eight workmen of Swadeshi Cotton Mills, Puducherry. The employee namely C. Anthonisamy, S/o. Chinnappan was appointed by the management of Swadeshi Cotton Mills, Pondicherry through interview on 15-1-1979. He was appointed in the Spinning Department and he was trained for three months. The management paid the amount of ₹ 8 per day. On the completion of the service for the period on 9-4-1979, the employee achieved the production target fixed by the management, the management regularised the employee with dearness allowance in his pay and ESI medical treatment facilities issuing the Identity Card No. 1458641 and also recovered the amount from the employee pay towards the Employees Contribution of Provident Fund *vide* P.F. No. 5405 which granted the employee the facilities of casual leave, holiday, weekly off and bonus etc. The employee was also issued a computerised pay slip in which the management has entered the date of joining of the employee as 16-2-1982 instead of entering the

confirmation date 9-4-1979 on which the employee was regularised with dearness allowance pay scale. The employee namely N. Jagateesan, S/o. Nadesan was appointed by the management of Swadeshi Cotton Mills, Pondicherry through interview on 13-4-1979. He was appointed in the Spinning Department and he was trained for four months. The management paid the amount of ₹ 8 per day. On the completion of the service for the period on 28-8-1979, the employee achieved the production target fixed by the management, the management regularised the employee with dearness allowance in his pay and E.S.I. medical treatment facilities issuing the Identity Card No. 1449807 and also recovered the amount from the employee pay towards the employees contribution of Provident Fund *vide* P.F. No. 5490 which granted the employee the facilities of casual leave, holiday, weekly off and bonus etc. The employee was also issued a computerised pay slip in which the management has entered the date of joining of the employee as 16-2-1982 instead of entering the confirmation date 28-8-1979 on which the employee was regularised with dearness allowance pay scale.

The employee namely P. Ramalingam, S/o. Perumal was appointed by the management of Swadeshi Cotton Mills, Pondicherry through interview on 1-12-1978. He was appointed in the Spinning Department and he was trained for four months. The management paid the amount of ₹ 8 per day. On the completion of the service for the period on 7-4-1979, the employee achieved the production target fixed by the management, the management regularised the employee with dearness allowance in his pay and ESI medical treatment facilities issuing the Identity Card No. 1458628 and also recovered the amount from the employee pay towards the employees contribution of Provident Fund *vide* P.F. No. 5387 which granted the employee the facilities of casual leave, holiday, weekly off and bonus etc. The employee was also issued a computerised pay slip in which the management has entered the date of joining of the employee as 16-2-1982 instead of entering the confirmation date 7-4-1979 on which the employee was regularised with dearness allowance pay scale. The employee namely I. Augustine Lagard, S/o. Issac Lagard was appointed by the management of Swadeshi Cotton Mills, Pondicherry through interview on 15-12-1979. He was appointed in the Spinning Department and he was trained for four months. The management paid the amount of ₹ 8 per day. On the completion of the service for the period on 9-4-1979, the employee achieved the production target fixed by the management, the management regularised the employee with dearness allowance in his pay and E.S.I. medical treatment facilities issuing the Identity Card No. 1458649 and also recovered the amount from the employee pay towards the employees contribution of Provident Fund *vide* P.F.

No. 5394 which granted the employee the facilities of casual leave, holiday, weekly off and bonus etc. The employee was also issued a computerised pay slip in which the management has entered the date of joining of the employee as 16-2-1982 instead of entering the confirmation date 9-4-1979 on which the employee was regularised with dearness allowance pay scale.

The employee namely M. Soundararajan, S/o. Manikiaraj was appointed by the management of Swadeshi Cotton Mills, Pondicherry through interview on 16-11-1978. He was appointed in the Spinning Department and he was trained for six months. The management paid the amount of ₹ 8 per day. On the completion of the service for the period on 1-4-1979, the employee achieved the production target fixed by the management, the management regularised employee with dearness allowance in his pay and ESI medical treatment facilities issuing the Identity Card No. 1458821 and also recovered the amount from the employee pay towards the employees contribution of Provident Fund *vide* P.F. No. 5482 which granted the employee the facilities of casual leave, holiday, weekly off and bonus etc. The employee was also issued a computerised pay slip in which the management has entered the date of joining of the employee as 16-2-1982 instead of entering the confirmation date 1-4-1979 on which the employee was regularised with dearness allowance pay scale. The employee namely S. Periasamy @ Ponnusamy, S/o. Sengani was appointed by the management of Swadeshi Cotton Mills, Pondicherry through interview on 15-5-1979. He was appointed in the Spinning Department and he was trained for eight months. The management paid the amount of ₹ 8 per day. On the completion of the service for the period on 16-2-1980, the employee achieved the production target fixed by the management, the management regularised the employee with dearness allowance in his pay and ESI medical treatment facilities issuing the Identity Card No. 1458825 and also recovered the amount from the employee pay towards the employees contribution of Provident Fund *vide* P.F. No. 5475 which granted the employee the facilities of casual leave, holiday, weekly off and bonus etc. The employee was also issued a computerised pay slip in which the management has entered the date of joining of the employee as 16-2-1982 instead of entering the confirmation date 16-2-1980 on which the employee was regularised with dearness allowance pay scale.

The employee namely T. Manogaran, S/o. Thillaigovindan was appointed by the management of Swadeshi Cotton Mills, Pondicherry through interview on 17-2-1978. He was appointed in the Cone Winding Department and he was trained for twelve months. The management paid the amount of ₹ 8 per day. On the completion of the service for the period on 23-5-1979, the employee achieved the production target fixed by the management,

the management regularised the employee with dearness allowance in his pay and ESI medical treatment facilities issuing the Identity Card No. 1458712 and also recovered the amount from the employee pay towards the employees contribution of Provident Fund *vide* P.F. No. 5411 which granted the employee the facilities of casual leave, holiday, weekly off and bonus etc. The employee was also issued a computerised pay slip in which the management has entered the date of joining of the employee as 16-2-1982 instead of entering the confirmation date 23-5-1979 on which the employee was regularised with dearness allowance pay scale. The employee namely N. Johnphilomin Raja, S/o. Nallappan was appointed by the management of Swadeshi Cotton Mills, Pondicherry through interview on 20-2-1979. He was appointed in the Cone Winding Department and he was trained for four months. The management paid the amount of ₹ 8 per day. On the completion of the service for the period on 5-6-1979, the employee achieved the production target fixed by the management, the management regularised the employee with dearness allowance in his pay and E.S.I. medical treatment facilities issuing the Identity Card No. 1458721 and also recovered the amount from the employee pay towards the employees contribution of Provident Fund *vide* P.F. No. 5446 which granted the employee the facilities of casual leave, holiday, weekly off and bonus etc. The employee was also issued a computerised pay slip in which the management has entered the date of joining of the employee as 16-2-1982 instead of entering the confirmation date 5-6-1979 on which the employee was regularised with dearness allowance pay scale.

The eight employees joined the services of Swadeshi Cotton Mills from the year 1978-1979. They were appointed in different dates in different department, they giving them training from the period of their months. The eight employees were appointed by the management in regular and interview and their attending eligibility. The employees were issued E.S.I. Identity Card and Provident Fund, the eight employees were declared as confirm regular employees by dearness allowance from the management since the year 1979. The management had wrongly entered date of confirmation during the year 1982 instead of the year 1979. Thus the services of the eight employees were reduced purposely for three years. When, it was known to the employees they approached the management for seeking remedy. It was not rectified by the management so the employees approached by the Labour Officer Conciliation on 20-2-2006. The conciliation ended failure, so the petitioner approached this court seeking for necessary reliefs. The petitioner prays for an order directing the respondent to correct date of confirmation on 16-2-1982 in the official record about the 8 employees who has been regularised by dearness allowance in the year 1979.

3. The respondent in his counter has stated as follows:

The respondent states that all the above eight employees have time and again accepted that the date of joining of each of them is as mentioned in the pay slip. In the individual service identification forms filled and filed by all the employees, they have mentioned the date of joining as mentioned by the management and not as claimed by the petitioners. In the gratuity nomination forms filled and filed by all the employees they have mentioned date of appointment as mentioned by the management. The very basic details such as Name, Department, Category, Token No., Father's name, Date of birth and Date of entry of each and every one of the workmen of the respondent mills, as per the records of the respondent mills are reproduced of such pay slip of each workmen. This practice is found in all the NTC mills in case of discrepancy or clerical error, the same may be rectified immediately. The petitioners who have raised the dispute have put in service of more than thirty years and they have received and checked and have been satisfied with the entries in their respective pay slips for all these years. So the petitioners are stopped from raising any dispute over the entries made in the pay slip. Further, the petitioners have not mentioned what are the records that they wish to correct. Their own service and identification agreements and gratuity nominations are also part of the records of the respondent mills, in which they themselves they have given their particulars. It is not case of the employee that those particulars were not given by them or those particulars were obtained under duress.

It is further stated that the petitioners will have to submit service and identification agreement and gratuity nomination. Each of the petitioners have signed and submitted service identification agreements and gratuity nominations. Only based on the information given by the petitioners themselves, the entries have made in the respondent mills records. The petitioners have not claimed that they have given the date of entry wrongly. As per section 38 of the E.S.I. Act all employees shall be insured as per section 2 (9) of the E.S.I. Act employees include casual labourers, contract labourers and temporary employees. Hence as per the E.S.I. Act all the employees including permanent employees, temporary employees, casual employees, employees receiving monthly wages, employees receiving weekly wages, employees receiving wages on hourly basis, piece rated employees, contract labourers, paid apprentice, paid trainee and paid probationers will have to be brought under the purview of the Act and are given coverage under the Act in order to protect their interests. All the above mentioned employees were given ESI cards by the E.S.I. Corporation in which the date of entry into

the mill is given as per the information provided by the management. The respondent denies that the date of entry as the E.S.I. identity card is liable to be taken as the date of confirmation. As per section 2(f) of the EPF Act employees include even casual labourers, contract labourers and temporary employees and they were given coverage under the Act. All the employees were made permanent are given individual code Nos. and from the date on which they are made permanent PF contributions are deducted. The definition of employee as per the EPF Act is completely different from the one defined in Industrial Disputes Act. The petitioners are claiming the date of entry mentioned in the E.S.I. card as the date of confirmation from all other purposes and records. The respondent states that the E.S.I. card issued under the E.S.I. Act and the same yardstick under which a worker is brought under the ambit of the E.S.I. Act cannot be in blanket and blindly applied to all records not covered by the E.S.I. Act. The respondent submits that as per the practice and standing orders of the mills any person can be employed as a casual employee and then become a temporary also employee and then only can confirm. In cases all the above petitioners, they have been casuals and then temporary and then only confirmed. Hence, the date of entry as shown in the E.S.I. on which they had entered into the mills as casuals and not their date of confirmation.

4. On the side of the petitioners, PW.1 was examined, and the side of the respondent RW1 and RW.2 were examined. On the petitioners side Ex.A1 to Ex.A36 were marked. On the side of the respondent, Ex.R1 to Ex.R4 were marked.

5. *The point for determination is:*

Whether the industrial dispute can be allowed?

6. *On the point:*

Whether the date of entry in the E.S.I. card is the date of confirmation of service is the first point is to be decided in this case the date of entry in the E.S.I. card is 9-4-1979.

In this regard PW.1 in his cross-examination deposed as follows:

8 தொழிலாளிகள் வேலைக்கு சேர்ந்த அப்பாய்ண்ட்மெண்ட் ஆடர் காப்பி இல்லை. தொழிலாளர்கள் தொழிற் பயிற்சி பெற்றதற்கான ஆதாரம் தற்போது என்னிடம் இல்லை. மேற்படி தொழிலாளர்கள் சம்பளம் வாங்கியதற்கான சம்பள சான்று என்னிடம் இல்லை. நிரந்தர ஊழியர்கள், காண்ட்ராக்டில் வேலை செய்தவர்கள், தினக்கூலி ஆகிய அனைவருக்கும் நிர்வாகம் சட்டப்படி இ.எஸ்.ஐ. கார்டு கொடுக்கவேண்டும். 1990-லிருந்து கணினி மூலம் சம்பள சான்று கொடுக்கப்பட்டு வருகிறது. இ.எஸ்.ஐ. கார்டு கேசுவல் எம்பலாயிக்கும் உண்டு. சட்டப்படி இ.எஸ்.ஐ. கார்டு ஒரு நாள் வேலை செய்தாலும் கொடுக்க வேண்டும். ஒரு தொழிலாளி இ.எஸ்.ஐ கார்டு பதிவு செய்தபிறகு வேலையில் இருந்து விடுபட்டு ஒரு மாதமோ அல்லது இரண்டு மாதங்களோ

நின்றுவிட்டு பிறகு சென்றால் புதியதாக இ.எஸ்.ஐ கார்டு மற்றும் நம்பர் கொடுப்பது இல்லை. பழைய கார்டு தொடரப்படுகிறது. நிர்வாகத்தில் வேலைக்கு சேரும்போது நிரந்தர பணி கொடுக்கமாட்டார்கள். முதலில் மூன்று மாதம் அப்பரன்சாகவும், மூன்று மாதங்களுக்கு பிறகு பேசிக் மற்றும் டி.ஏ.வுடன் கன்பர்மேசன் தொழிலாளியாக கருதப்படுவார்கள். அவ்வாறே கன்பர்மேசன் ஆட்டரும் கொடுக்கப்படும். அன்றிலிருந்து வருகை பதிவேட்டிலும் கையெழுத்து போடுவார்கள். 8 தொழிலாளிகளில் 2 பேரை மட்டும் 1980-ல் கன்பர்மேசன் செய்தார்கள். மற்ற 6 தொழிலாளர்களையும் 1982-ல் கன்பர்மேசன் செய்தார்கள்.

In this regard RW.1 deposed as follows:

The E.S.I. card is also issued to the casual labourers also. E.S.I. number given to the employee is maintained throughout his service. If there is break in service, the same number is continued no new number is given. The date of entry, date of coverage and the date of appointment can differ. In the E.S.I. card there is no mention about the nature of work, namely, whether it is a casual labour or permanent labour.

In this regard RW.2 deposed in his cross-examination as follows:

8 தொழிலாளிகளும் 1982-ல் பணியில் சேர்ந்தார்கள். அதற்கு முன்பு அந்த 8 தொழிலாளர்கள் எங்கள் மில்லில் கேசுவலாக பணி செய்தார்கள். பொதுவாக கேசுவலாக வேலை பார்த்தவர் நன்றாக வேலை செய்தால் அவர்களை பணி நிரந்தரம் செய்வோம். இந்த 8 பேரையும் அப்படித் தான் பணி நிரந்தரம் செய்தோம். Ex.R2-வில் date of appointment எனக் குறிப்பிட்டுள்ள தேதி தொழிலாளிகள் பணி நிரந்தரம் செய்த தேதியாகும். Date of joining and date of appointment தேதிகள் வெவ்வேறானவை என்றால் சரிதான். Ex.R3-ல் date of joining-ல் 16-2-1982 என்று உள்ளது. இது தொழிலாளி பணியில் சேர்ந்த தேதியாகும் என்றால் சரிதான். Ex.R4 எங்களுடைய company-யின் standing order-ல் date of confirmation தான் pay slip-ல் வரும் என்பதற்கு ஆதாரம் இல்லை. 5-1-2005 அன்று இந்த 8 தொழிலாளிகளும் தாங்கள் வேலைக்கு சேர்ந்த தேதி தவறாக உள்ளது என்று மனு ஒன்றை கொடுத்தார்கள் என்றால் சரிதான்.

So, from the available evidence it clear that the date of initial entry in the service and the date of confirmation of service and relieved date from service and date of issue of ESI card are different. It is admitted by the witnesses that the 8 employees were employed in the mill as casuals and then temporary and thereafter their services were confirmed as permanent. The date of entry into the service is in the year 1979 but the service was regularised during the year 1982. This aspect is clearly proved by the evidence of PW.1, RW.1 and RW.2.

7. According to the management the date of confirmation is 16-2-1982 and it is find in all the relevant records which were filled up and filed by the eight employees.

In this regard PW.1 deposed as follows:

ஒவ்வொரு தொழிலாளியும் கிராஜிவேட்டி பி.எப்., இ.எஸ்.ஐ. இந்த மூன்றுக்கும் தொழிலாளர்கள் அதுபற்றிய விவரங்கள் கொடுக்கவேண்டும். கிராஜிவேட்டி, பி.எப்க்கான நாமினேசன் பாரம் மற்றும் நபர்களின் விவரம் ஒவ்வொரு தொழிலாளியும் தனி தனி படிவத்தில் விவரம் கொடுக்கவேண்டும். அவ்வாறு செய்யப்பட்ட படிவங்களில் தவறாக விவரங்களை கொடுத்துவிட்டோம் என்று எந்த தாவா எழுப்பவில்லை.

In this regard RW2 deposed as follows:

இந்த வழக்கில் தாக்கல் செய்யப்பட்டுள்ள கிராஜிவேட்டி, நாமினேசன் பாரம் மேனேஜர் கொடுத்ததுதான். அதில் உள்ள விவரங்களை பூர்த்தி செய்துவிட்டு தொழிலாளியிடம் கையெழுத்து வாங்குவோம் என்றால் சரியல்ல. ஒவ்வொரு தொழிலாளிக்கும் வழங்கப்பட்ட E.S.I. கார்டில் date of entry என்ற தேதியும் pay slip-ல் உள்ள date of entry வேறுபடுகிறது என்றால் சரிதான்.

8. The copies of the gratuity, nomination forms of eight employees are marked as Ex.R1. The copies of service and identification forms of eight employees are marked as Ex.R2. The basic detail such as name, department, category, token No., father's name, date of birth and date of entry of each and every workmen of the respondent mills are reproduced each pay slip of such workmen. The copies of the pay slips of eight employees are marked as Ex.R3. The eight employees were put in service of more than 30 years and they have received and checked the pay slips but they have raised the question of wrong entry only in the year 2005. So, the petitioners are estopped from raising such dispute over the entries made in the pay slips now.

9. The petitioners have not mentioned what are the records they wish to correct the details and identification agreements and gratuity nominations are also part of the records of the respondent mills. In those records, the employees have given their particulars the date of service mentioned in those documents differs from the date of entry in the E.S.I. card. In such circumstance what are the documents in which the date of entry is to be corrected is clearly to be stated by the petitioners, it was not clearly stated.

10. The citations, 1989(1) SCC 244 and 2008(2) LLJ737 filed by the counsel for the petitioner are not fitting with the facts of the case.

11. So, the date of confirmation is different from the date of issuing of the ESI card is clearly proved by the respondent. It is admitted by the petitioner that ESI card are issued to casual employees, temporary employees, permanent employees and employees receiving monthly wages, employees receiving weekly wages, employees receiving wages on hourly basis, piece rated employees, contract labourers, paid apprentice, paid trainee and paid probationers. So, there is no possibility to take the date of entry in the ESI card as the date of confirmation of service of the employees.

In this regard PW.1 deposed as follows:

சட்டப்படி இ.எஸ்.ஐ. கார்டு ஒரு நாள் வேலை செய்தாலும் கொடுத்தாகவேண்டும். அப்படி ஒரு நாள் வேலை செய்யும் நபருக்கும் இ.எஸ்.ஐ. கார்டு டேட் ஆப் என்ட்ரி பதிவு செய்யப்படும்.

In this regard RW.1 deposed that it is not mentioned in the ESI card whether the employees is the casual labourer or permanent labourer. In this regard RW.2 deposed as follows:

Date of joining and date of appointment தேதிகள் வெவ்வேறானவை என்றால் சரிதான். Ex.R3-ல் date of joining-ல் 16-2-1982 என்று உள்ளது.

He admits that the date of entry in the ESI differs from the date of entry in the pay slip. So from the available records, it is clear that the date of entry in the ESI card is different from the date of confirmation of service of the employees.

12. According to the petitioners, the management had wrongly entered in the date of confirmation during the year 1982 instead of the year 1979 so their service is reduced purposely for three years. It is proved through records on the side of the management that the date of confirmation is during the year 1982 and the date of entry into the mill as casual labourer is in the year 1979. The gratuity nomination form is marked as Ex.R1. The date of appointment is mentioned in it as 16-2-1982. Service identification form is marked as Ex.R2. The pay slips are marked as Ex.R3. In the pay slips also the date of appointment is mentioned as 16-2-1982. Admittedly, the employees are under the service for the period of more than 30 years but they have raised this question in a belated stage. So, they were stopped from raising this question now. It is clearly proved on the side of the management the date of entry into the mill as casual labourer is different from the date of appointment, it is also clearly proved through oral and documentary evidence that the date of issue of ESI card is different from the date of appointment. The date of appointment is mentioned in every month pay slips but no objection was raised in the appropriate time by the employees. So, there is no possibility to correct it now. Further what are the records in which the date of appointment is to be corrected is not specifically stated by the employees. So, there is no possibility to correct the date of appointment in the registers which are maintained by the management. Taking into consideration of all the above said aspects, the petition filed by the petitioner is dismissed.

13. In the result, the petition filed by the petitioner is dismissed. No costs.

Typed to my dictation, corrected and pronounced by me in the open court on this the 9th day of May 2014.

**S. MARY ANSELAM,**  
Presiding Officer,  
Industrial Tribunal, Puducherry.

*List of witness examined for the petitioner:*

PW.1 — 6-9-2011 — K. Mohandoss

*List of witnesses examined for the respondent:*

RW.1 — 10-1-2014 — Aadil Shamim

RW.2 — 28-2-2014 — Sridher

*List of exhibits marked for the petitioner:*

Ex.A1 — Photocopy of the petition submitted by employee Antonisamy to the Labour Officer (Conciliation), dated 20-2-2006.

Ex.A2 — Photocopy of the E.S.I. card of Antonisamy.

Ex.A3 — Photocopy of the letter submitted by the employee Antonisamy to the General Manager, Swadeshi Mills Ltd., dated 5-1-2005.

Ex.A4 — Photocopy of the pay slip of the employee Antonisamy.

Ex.A5 — Photocopy of the petition submitted by employee Jagateesan to the Labour Officer (Conciliation), dated 20-2-2006.

Ex.A6 — Photocopy of the letter submitted by the employee Jagateesan to the General Manager, Swadeshi Mills Ltd., dated 5-1-2005.

Ex.A7 — Photocopy of the E.S.I. card of Jagateesan.

Ex.A8 — Photocopy of the pay slip of the employee Jagateesan.

Ex.A9 — Photocopy of the annual statement of Provident Fund of employee Jagateesan.

Ex.A10 — Photocopy of the petition submitted by employee Ramalingam to the Labour Officer (Conciliation), dated 20-2-2006.

Ex.A11 — Photocopy of the letter submitted by the employee Ramalingam to the General Manager, Swadeshi Mills Ltd., dated 5-1-2005.

Ex.A12 — Photocopy of the E.S.I. card of Ramalingam.

Ex.A13 — Photocopy of the annual statement of Provident Fund of employee Ramalingam.

Ex.A14 — Photocopy of the petition submitted by employee Augustin Lagard to the Labour Officer (Conciliation), dated 20-2-2006.

Ex.A15 — Photocopy of the letter submitted by the employee Augustin Lagard to the General Manager, Swadeshi Mills Ltd., dated 5-1-2005.

Ex.A16 — Photocopy of the E.S.I. card of Augustin Lagard.

Ex.A17 — Photocopy of the annual statement of Provident Fund of employee Augustin Lagard.

Ex.A18 — Photocopy of the petition submitted by employee Soundararajan to the Labour Officer (Conciliation), dated 20-2-2006.

Ex.A19 — Photocopy of the letter submitted by the employee Soundararajan to the General Manager, Swadeshi Mills Ltd., dated 5-1-2005

Ex.A20 — Photocopy of the annual statement of Provident Fund of employee Soundararajan.

Ex.A21 — Photocopy of the petition submitted by employee Periyasamy @ Ponnusamy to the Labour Officer (Conciliation), dated 20-2-2006.

Ex.A22 — Photocopy of the E.S.I. card of Periyasamy @ Ponnusamy.

Ex.A23 — Photocopy of the letter submitted by the employee Periyasamy @ Ponnusamy to the General Manager, Swadeshi Mills Ltd., dated 5-1-2005.

Ex.A24 — Photocopy of the pay slip of the employee Periyasamy @ Ponnusamy.

Ex.A25 — Photocopy of the legal notice issued by the employee Periyasamy @ Ponnusamy through his advocate to the respondent dated 17-1-2001.

Ex.A26 — Photocopy of the petition submitted by employee Manogaran to the Labour Officer (Conciliation), dated 20-2-2006.

Ex.A27 — Photocopy of the E.S.I. card of Manogaran.

Ex.A28 — Photocopy of the letter submitted by the employee Manogaran to the General Manager, Swadeshi Mills Ltd., dated 5-1-2005.

Ex.A29 — Photocopy of the pay slip of the employee Manogaran.

Ex.A30 — Photocopy of the annual statement of Provident Fund of employee Manogaran.

Ex.A31 — Photocopy of the petition submitted by employee John Philomin Raja to the Labour Officer (Conciliation), dated 20-2-2006.

Ex.A32 — Photocopy of the E.S.I. card of John Philomin Raja.

- Ex.A33— Photocopy of the letter submitted by the employee John Philomin Raja to the General Manager, Swadeshi Mills Ltd., dated 5-1-2005.
- Ex.A34— Photocopy of the pay slip of the employee John Philomin Raja.
- Ex.A35— Photocopy of the annual statement of Provident Fund of employee John Philomin Raja.
- Ex.A36— Photocopy of failure report submitted by the Labour Officer (Conciliation) to the Secretary to Government (Labour).

*List of exhibits marked for the respondent:*

- Ex.R1 — Copies of the gratuity nomination forms of 8 petitioner workmen.
- Ex.R2 — Copies of the service and identification forms of 8 petitioner workmen.
- Ex.R3 — Copies of the pay slips of 8 workmen pertaining to March 2011.
- Ex.R4 — Copy of the standing orders pertaining to the respondent's mills.

**S. MARY ANSELAM,**  
Presiding Officer,  
Industrial Tribunal, Puducherry.

**புதுச்சேரி அரசு  
தொழிலாளர் துறை**

எண் 747/தொ.து/இ/2014.

**அறிவிப்பு**

புதுச்சேரி (நெட்டப்பாக்கம், பாகூர் மற்றும் வில்லியனூர் உட்பட), காரைக்கால், மாணே மற்றும் ஏனாம் பகுதிகளில் உள்ள தொழிற்பயிற்சி நிலையங்களில் கீழ்க்கண்ட பொறியியல் மற்றும் பிற துறை பயிற்சிகளுக்கான, 1-ஆம் தேதி ஆகஸ்ட், 2014-ல் துவங்கும் பயிற்சியில் சேர்வதற்கு விண்ணப்பங்கள் வரவேற்கப்படுகின்றன.

வரிசை எண்	தொழிற் பிரிவு	பயிற்சிக் காலம்	கல்வித் தகுதி
(1)	(2)	(3)	(4)

**அ. அரசினர் தொழிற்பயிற்சி நிலையம் (ஆண்கள்), மேட்டுப்பாளையம், புதுச்சேரி-605 009  
(தொலைபேசி:0413-2271063)**

1	மின்கம்பியாள்	2 ஆண்டுகள்	8-ஆம் வகுப்பு தேர்ச்சி
2	கட்டிடம் கட்டுபவர்	1 ஆண்டு	
3	பற்ற வைப்பவர் (வாயு மற்றும் மின்வழி)	1 ஆண்டு	
4	பொறிப்பகுதி பொருத்துபவர்	2 ஆண்டுகள்	10-ஆம் வகுப்பு தேர்ச்சி (10+2 பயிற்சி பிரிவின்கீழ்)
5	கம்மியர் (குளிர்பதனம் மற்றும் தட்பவெப்பநிலையைக் கட்டுப்படுத்துதல்).	2 ஆண்டுகள்	
6	மின்சாரப் பணியாளர்	2 ஆண்டுகள்	
7	கம்மியர் (இயக்க ஊர்திகள்)	2 ஆண்டுகள்	
8	தகவல் மற்றும் தகவல் தொடர்பு தொழில்நுட்பம் மற்றும் சாதனங்கள் பராமரிப்பு.	2 ஆண்டுகள்	
9	கட்டிட பட வரையாளர்	2 ஆண்டுகள்	
10	கம்மியர் (மின் அணுவியல்)	2 ஆண்டுகள்	
11	கணிப்பொறி இயக்குபவர் மற்றும் செயல்திட்ட உதவியாளர்.	1 ஆண்டு	
12	பிளாஸ்டிக் செயல்முறை இயக்குபவர்	1 ஆண்டு	

**சுய தொழிற் பிரிவு**

1	கணினி பதிவாளர்	1 ஆண்டு	10-ஆம் வகுப்பு தேர்ச்சி (10+2 பயிற்சி பிரிவின்கீழ்)
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